

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

ROBERTO BARRAGAN-TORRES,
Petitioner,

VS.

COLE JETER, Warden,
FMC-Fort Worth,
Respondent.

§
§
§
§
§
§

CIVIL ACTION NO. 4:05-CV-286-Y

ORDER ADOPTING MAGISTRATE JUDGE'S FINDINGS AND CONCLUSIONS

Before the Court is the petition for writ of habeas corpus under 28 U.S.C. § 2241 of petitioner Roberto Barragan-Torres, along with the August 19, 2005, findings, conclusions, and recommendation of the United States Magistrate Judge. The magistrate judge gave the parties until September 9 to file written objections to the findings, conclusions, and recommendation. As of the date of this order, no written objections have been filed.

The Court has reviewed the pleadings and the record in this case, and has reviewed for clear error the proposed findings, conclusions and recommendation of the United States Magistrate Judge filed on August 19, 2005. The Court concludes that the petition for writ of habeas corpus should be dismissed for the reasons stated in the magistrate judge's findings and conclusions.

Therefore, the findings, conclusions and recommendation of the magistrate judge are ADOPTED.

Respondent Jeter's July 18, 2005, motion to dismiss [docket no. 9] is GRANTED.

Roberto Barragan-Torres's petition for writ of habeas corpus under 28 U.S.C. § 2241 is DISMISSED for lack of jurisdiction.

SIGNED September 16, 2005.



TERRY R. MEANS
UNITED STATES DISTRICT JUDGE